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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/775,414	02/10/2004	Olav Borgmeier	11138-0010

CONFIRMATION NO. 1164

FORMALITIES LETTER



OC000000012948681

Steven L. Oberholtzer, Esq.
 BRINKS HOFER GILSON & LIONE
 P.O. Box 10395
 Chicago, IL 60610

Date Mailed: 06/15/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1-2, 3A-B.

SUMMARY OF FEES DUE:

08/02/2004 FFAHAI2 00000014 10775414

01 FC:1051	130.00 OP
02 FC:1053	130.00 OP

Total additional fee(s) required for this application is **\$260** for a Large Entity

- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Appln. of: Olav Borgmeier
Appln. No.: 10/775,414
Filed: 2/10/04
For: Magnetically Controlled Pneumatic Spring
Attorney Docket No: 11138-010

Examiner: Unknown

Art Unit: Unknown

MS Missing Parts
Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- X Response to Notice to File Missing Parts and Copy of Notice
- X Declaration/Power of Attorney
- X English Translation and Translator's Statement of Accuracy
- X Assignment and Recordation Cover Sheet
- X Checks in the Amounts of \$260.00 and \$40.00
- X 12 Sheets of Replacement Drawings
- X Return Receipt Postcard

Fee calculation and payment:

- ☐ No additional fee is required.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

				Small Entity		or	Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate		Rate	Add'l Fee
Total		Minus			x \$9=		x \$18=	
Indep.		Minus			x 43=		x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=		+\$290=	
				Total	\$		Total	\$

Fee calculation and payment:

- X A check in the amount of \$260.00 to cover the above-identified fee(s) is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Respectfully submitted

July 28, 2004
Date

Steven L. Oberholtzer, Esq. (Reg. No. 30, 670)

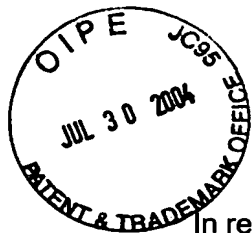
CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail, addressed to: MS Amendment, Commissioner for Patents, U.S. Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: July 28, 2004 Name: M. Collins Signature: M. Collins

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GILSON
& LIONE

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Olav Borgmeier

Serial No.: 10/775,414

Filed: 2/10/04

For: Magnetically Controlled Pneumatic Spring

Examiner: Unknown

Group Art Unit: Unknown

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED

MS Missing Parts
Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the Notice to File Missing Parts of Application Filing Date Granted mailed June 15, 2004, a copy of which is attached, enclosed herewith for filing is a fully-executed, combined Declaration for Patent Application and Power of Attorney (three sheets), an English translation for the above-referenced patent application as well the Translator's statement of accuracy, and replacement drawings (12 sheets).

Applicant has calculated the fees associated with the filing of this Response as follows:

- ☐ A basic filing fee in an amount of \$_____ under 37 C.F.R. § 1.16(a).
- ☐ An additional filing fee in an amount of \$_____ under 37 C.F.R. § 1.16(b), (c) and/or (d).
- X An English translation of the specification in the amount of \$130.00 under 37 C.F.R. § 1.17(i).
- ☒ A surcharge in an amount of \$130.00 under 37 C.F.R. § 1.16(e).
- ☐ An extension fee in an amount of \$_____ for a ____-month extension of time under 37 C.F.R. § 1.136(a).

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on the below date:

Date: July 28, 2004

Name: M. Collins

Signature: *M. Collins*

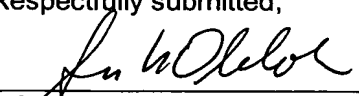
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BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610

The Commissioner is hereby further authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

July 28, 2004
Date


Steven L. Oberholtzer (Reg. No. 30,670)
X Attorney/Agent Of Record
☐ 37 C.F.R. 1.34(a)

SLO/mc

Attachments: Copy of Notice of Missing Parts
Declaration/Power of Attorney
English Translation
12 Sheets of Replacement Drawings
Assignment and Recordation Cover Sheet
Checks in the Amounts of \$260.00 and \$40.00
Return Receipt Postcard